REMARKS

Applicants certainly appreciate the courteous assistance provided by Examiner Aughenbaugh in the interview held April 8, 2008. Applicants are amending the claims as discussed during the interview. The Director is hereby authorized to charge or credit any fees to Bracewell & Giuliani, Deposit Account No. 50-0259 (081421.000002).

All of the claims as amended require that the helix angle of the helical formation be in the range from 5 to 16 degrees relative to a longitudinal axis of the stent. This fairly low angle range is required in order to cause the desired swirling of blood flow through the stent. Page 3, third paragraph provides support for the angle range. The drawings show clearly that the angle is relative to a longitudinal axis of the stent and not a plane perpendicular to the axis of the stent. Helix angles are conventionally measured relative to the longitudinal axis and this conventional form is utilized by applicant in the claims.

In Frassica 5,989,230, a helical spring 310 is shown in tubular member 306 in Figure 17. Spring 310 is a reinforcement member for the stent. The angle of the helix relative to the longitudinal axis of tubular member 306 is quite high, being 75 or more degrees as shown in the drawing. This coil spring would not induce swirling flow of blood, rather the blood would simply flow over the turns of the coil spring. The helix angle relative to the longitudinal axis of coil spring 310 is far greater than the helical angle range required in all of the claims. The stent in Figure 23 is similar to the one in Figure 17. Applicant therefore submits that the claims should be allowed.

Dependent claim 34 requires that the tubular member comprise a mesh member. Claim 35 further requires that the mesh member comprise crisscrossed wires extending helically around the periphery of the stent, and the internal helical formation comprises a helical vane member

attached to such wires. The stent 301 in Frassica is not made of crisscrossed wires, rather it is a solid tubular member as shown in Figure 17.

Dependent claim 37 requires that the internal helical formation comprise a rigid support coaxially mounted within the tubular member and a spiral flow inducer vane surrounding and extending from the rigid support. This embodiment is shown in Figures 6 and 7 of the application. There is no rigid support coaxially mounted within the tubular member in any of the embodiments of Frassica. There is no vane extending from the rigid support. Dependent claim 49 further requires a sleeve surrounding the rod, and wherein the sleeve is axially contractible relative to the support rod to vary an angle of the vane relative to the support rod. Frassica does not show any type of device of this nature.

Applicant respectfully submits that the claims are now in condition for allowance and respectfully requests reconsideration.

Applicants are submitting a three month Extension of Time. Please charge the fee of $525 (small entity) to our Deposit Account 50-0259 Bracewell & Giuliani (081421.000002).

Respectfully submitted,

Date: April 9, 2008

James E. Bradley
Registration No. 27,536
BRACEWELL & GIULIANI LLP
P.O. Box 61389
Houston, Texas 77208-1389
Telephone: (713) 221-3301
Facsimile: (713) 222-3287

Attorney for Applicants